

REMARKS

Claims 1-3 have been amended. Claims 2 and 4-8 have been canceled in this paper. Claims 9-11 have been newly added. Claims 1, 3 and 9-11 are now pending in the present application.

Claims 1-3 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The rejection is respectfully traversed.

Claim 1 has been amended to recite “a computer-implemented method for processing information on a nucleotide sequence.” In addition, please note that the claimed invention provides a “concrete, tangible and useful result.” Claim 1 has been amended to emphasize the retrieved “nucleotide sequence-related information that is retrieved from [a] first memory area.” Please note that the retrieved nucleotide sequence-related information corresponds to the positional information that the first processor has received from the second processor, and that the first processor evaluates, before retrieving nucleotide sequence-related information, whether the transmission of the nucleotide sequence-related information is adequate. It is the transmission of such information that provides the useful result among other things. Claim 2 has been canceled, and thus this rejection is no longer applicable to claim 2. Accordingly, the rejection should be withdrawn and the claims allowed.

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is respectfully traversed.

Applicants have amended the claims to address the concerns set forth in the Office Action. Applicants respectfully submit that the phrases within the claims use ordinary English-language terms and thus, for example although not limited to, are

defined consistent with their use within the English language. The claims as amended are believed to be in full compliance with § 112. Please note that changing the term "and/or" to "or" in the respective open-ended claims should not make the claims any narrower in scope. Claim 2 has been canceled, and thus this rejection is no longer applicable to claim 2. Thus, withdrawal of the rejection and allowance of the claims is respectfully requested.

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Califano. Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Bova. Claims 1-3 stand rejected under 35 U.S.C. § 102(a and e) as being anticipated by Glaxo. Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ledley. Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Morand. Claim 2 has been canceled, and thus these rejections are no longer applicable to claim 2. The rejections are respectfully traversed.

Applicants respectfully submit that Califano, Bova, Glaxo, Ledley and Morand generally refer to systems for tracking and controlling genetic information and are believed to be not relevant to the claimed invention. In particular, none of the cited references disclose or suggest a method comprising the steps of "searching the second memory area for flag information corresponding to at least part of the pieces of positional information that are received in the receiving step, and retrieving the respective pieces of flag information; [and] evaluating the adequacy of transmission of nucleotide sequence-related information corresponding to the positional information received in the receiving step based on the retrieved flag information corresponding to the positional information received in the receiving step." Moreover, Califano, Bova, Glaxo, Ledley and Morand fail to disclose or suggest the other "receiving" and "transmitting" steps recited in claim 1, in the combination recited by claim 1, and the Office Action provides no explanation to the contrary. The systems of Califano, Bova,

Glaxo, Ledley and Morand are completely different from the system of the claimed invention.

The invention relates to a system in which information is processed by transmitting one or a plurality of pieces of nucleotide sequence-related information from one processor to another. In one aspect of the invention, the processor can make judgments whether a transmission of nucleotide sequence-related information is adequate or not. In other words, the one aspect of the invention can prevent a blind transmission of nucleotide sequence-related information by the processor. The cited references simply refer to a provision of genetic data.

In addition, the cited references do not disclose or suggest a system comprising two processors connected by a communication network. Thus, the cited references lack awareness of the problem that one processor may transmit nucleotide sequence-related information blindly to the other.

Although the Office Action indicates that Glaxo refers to a unique level, which is agreed to be equivalent to the flag information of the claimed invention, Applicants respectfully disagree. The flag information of the claimed invention represents an evaluation for adequacy of the transmission of nucleotide sequence-related information (genetic data), while the unique level of Glaxo represents permission of the use of a biological sample (not genetic data). Furthermore, the adequacy of the transmission of the nucleotide sequence-related information is evaluated for each of a plurality of pieces of positional information, or a combination thereof. Glaxo does not refer to or suggest such features. These are additional reasons the claimed invention is different from that of Glaxo.

The cited references, Califano, Bova, Glaxo, Ledley and Morand, fail to teach or suggest all limitations of claim 1. Claims 3 and 9-11 depend from claim 1 and should

be allowable along with claim 1; moreover, there are other reasons why the claims should be allowable. Accordingly, Applicants respectfully submit that the rejections should be withdrawn and claims 1, 3 and 9-11 should be allowed.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: October 12, 2006

Respectfully submitted,

By MJA reg # 41,198  
Mark J. Thronson

Registration No.: 33,082  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006-5403  
(202) 420-2200  
Attorney for Applicant